

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

GILBERT DEAN DAVIS,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-06-277-M
)	
JUSTIN JONES,)	
)	
Respondent.)	


ORDER

On March 21, 2006, United States Magistrate Judge Bana Roberts issued a Report and Recommendation in this action. The Magistrate Judge recommended that petitioner's motion for leave to proceed *in forma pauperis* be denied and that petitioner be ordered to prepay the full \$5 filing fee for this action to proceed. Petitioner was advised of his right to object to the Report and Recommendation by April 10, 2006. On March 30, 2006, petitioner filed his response to the Report and Recommendation, advising that he would be paying the \$5 filing fee, and on April 11, 2006, petitioner paid the \$5 filing fee.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on March 21, 2006, and
- (2) DENIES petitioner's motion for leave to proceed *in forma pauperis* [docket no. 2].

IT IS SO ORDERED this 12th day of April, 2006.


VICKI MILES-LAGRANGE
UNITED STATES DISTRICT JUDGE